

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD ROY SCOTT,

Plaintiff,

v.

AL NERIO, *et al.*,

Defendants.

Case No. C06-5340RJB

ORDER

This matter comes before the Court on Plaintiff's "Motion for Reconsideration of Order Denying Apdopting [sic] R & R re: TRO Dkt. # 46." Dkt. 54. The Court has considered the pleading filed in support of the motion, and the remainder of the file herein.

On October 3, 2006, Plaintiff filed a pleading entitled "Mt for Emergency Immediate TRO" (Dkt. 16) and on October 2, 2006, Plaintiff filed a pleading entitled "Motion for TRO" (Dkt. 18). Both motions dealt with the number of copies and envelopes Plaintiff is allotted each month at the Special Commitment Center. *Id.* On November 9, 2006, U.S. Magistrate Judge J. Kelley Arnold recommended that this Court deny Plaintiff's motions, finding that Plaintiff had failed to show irreparable injury. Dkt. 34-1. On December 11, 2006, this Court adopted Judge Arnold's recommendation and denied the two motions. Dkt. 46. Plaintiff now seeks a reconsideration of the December 11, 2006 Order Adopting Report and Recommendation (Dkt. 46). Dkt. 54.

Local Fed. R. Civ. P. 7(h) provides, in relevant part, as follows:

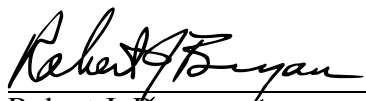
Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.

1 Plaintiff's motion for reconsideration should be denied. Plaintiff has failed to show a manifest error
2 in the prior ruling or new facts or legal authority which could not have been brought to the Court's
3 attention earlier with reasonable diligence. Plaintiff has failed to meet his burden under Local Fed. R. Civ.
4 P. 7(h).

5 Therefore, it is hereby

6 **ORDERED** that Plaintiff's "Motion for Reconsideration of Order Denying Apdopting [sic] R & R
7 re: TRO Dkt. # 46" (Dkt. 54) is DENIED. The Clerk is directed to send uncertified copies of this Order
8 to all counsel of record and to any party appearing *pro se* at said party's last known address.

9 DATED this 21st day of December, 2006.

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12 Robert J. Bryan
United States District Judge
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